**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

| | | |
|---|---|---|
| In re FERRI | ) | Serial No. 10/730,957 |
| | ) | |
| Appellant, | ) | Docket No. AUS920030843US1 |
| | ) | |
| For: Personalized Desktop Workspace Icon Organizer | ) | Art Unit 2174 |
| | ) | |
| | ) | |
| | ) | Confirmation No. 3686 |
| | ) | |
| Filed: December 9, 2003 | ) | Examiner MUHEBBULLAH |

**AMENDED APPEAL BRIEF**

May 29, 2008

Ms Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This brief is filed in response to the Notification of Non-Compliant Appeal Brief, dated on May 9, 2008. As requested by the Notification, the typographical error in section VI and in section VII in reference to the listing of claims is corrected.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1205.2:

Appendix A Claims
Appendix B Evidence
Appendix C Related Proceedings

## I. Real Party In Interest

The real party in interest for this appeal is:

INTERNATIONAL BUSINESS MACHINES CORPORATION

## II. Related Appeals and Interferences

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

## III. Status of Claims

A. Total number of Claims in Application

There are 48 claims pending in this Application.

B. Current Status of Claims

1. Claims canceled: None
2. Claims withdrawn from consideration but not canceled: None
3. Claims pending: 1-48
4. Claims allowed: None
5. Claims rejected: 1-48

C. Claims on Appeal

The claims on appeal are claims 1-48.

## IV. Status of Amendments

Appellant filed an Amendment after Non-Final Rejection on September 12, 2007, and has not filed any Amendment after Final Rejection. The claims stand as written in the Amendment filed September 12, 2007.

**V. Summary of Claimed Subject Matter**

As required by 37 C.F.R. § 41.37(c)(1)(v), the following provides a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, including reference to the specification by page and line number, and to the drawings, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of 37 C.F.R. § 41.37(c)(1)(vii), any means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, is identified and the structure, material, or acts described in the specification as corresponding to each claimed function is set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters. It should be noted that the citations to passages in the specification and drawings for each feature do not imply that limitations from the specification and drawings should be read into the corresponding claim element. Rather, this summary is provided for the convenience of the Board.

Unless otherwise noted, all citations to the specification herein refer to U.S. Patent Publication number US 2005/0125736 A1.

Embodiments of the invention according to claim 1 provide a method for automatically organizing a plurality of icons on a computer desktop. Abstract, lines 1-2; Par. [0010], lines 1-20; Fig. 7. Using a computer (Par. [0031], lines 1-13; Fig. 2), the following steps are performed: displaying a graphical user interface **500** having a define

segments menu **504** and a submit control **516** (Par. [0032], lines 1-5; Par. [0040], lines 1-20; Fig. 6); responsive to a user selecting a segment location (**204**) (Par. [0032], lines 6-11; Fig. 3), a segment size (**206**) (Par. [0032], lines 11-16; Fig. 3), an icon group (**208**) (Par. [0032], lines 16-20; Fig. 3), a icon organization (**210**) at the define segments menu (Par. [0033], lines 1-19; Fig 3), and activating the submit control **516** (Par. [0040], lines 18-20; Fig. 5), creating a segment on the desktop (Par. [0041], lines 1-10; Fig. 7), defining the segment size **508** in relation to the desktop (Par. [0040], lines 6-9; Fig. 5), classifying the plurality of icons into the icon group (Par. [0035], lines 1-19; Fig. 3); placing the icon group into the segment (Par. [0036], lines 1-16; Fig. 3); and organizing the icons within the segment in accordance with the icon organization (Par. [0037], line 1 – Par. [0039], line 17; Fig. 5); wherein the only actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control (Par. [0040], lines 1-20; Fig. 6).

Embodiments of the invention according to claim 14 provide a method to automatically organize a plurality of icons on a computer desktop (Abstract, lines 1-2; Par. [0010], lines 1-20; Fig. 7.), comprising: using a computer (Par. [0031], lines 1-13; Fig. 2), the following steps are performed: displaying a graphical user interface **500** having a define segments menu **504** and an activation button **516** (Par. [0032], lines 1-5; Par. [0040], lines 1-20; Fig. 6); analyzing a plurality of icons to determine the icons' attributes (Par. [0035], line 1 – Par. [0036], line 16; Fig. 4); classifying the icons into an icon group using the icons' attributes (Par. [0035], lines 1-19; Fig. 3); placing the icon group into a segment (Par. [0037], lines 1-22; Fig. 5) organizing the plurality of icons

within the segment (Par. [0037], line 1 – Par. [0039], line 17; Fig. 5); and wherein the segment does not cover the wallpaper on the desktop (Par. [0034], lines 1-11; Fig. 7); wherein the only actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control (Par. [0040], lines 1-20; Fig. 6).

Embodiments of the invention according to claim 25 provide a program product on a computer readable memory for causing a computer to automatically organize a plurality of icons on a computer desktop (Abstract, lines 1-2; Par. [0010], lines 1-20; Fig. 7.) comprising: a computer readable storage medium (Par. [0030], lines 10-26; Fig. 2); a computer program stored in the computer readable storage medium (Par. [0030], lines 10-26; Fig. 2); the computer readable storage medium, so configured by the computer program causes the computer to perform steps comprising displaying a graphical user interface having a define segments menu and an activation **516** (Par. [0032], lines 1-5; Par. [0040], lines 1-20; Fig. 6); responsive to a user selecting a segment location (**204**) (Par. [0032], lines 6-11; Fig. 3), a segment size (**206**) (Par. [0032], lines 11-16; Fig. 3), an icon group (**208**) (Par. [0032], lines 16-20; Fig. 3), a icon organization (**210**) at the define segments menu (Par. [0033], lines 1-19; Fig 3), and activating a submit button **516** (Par. [0040], lines 18-20; Fig. 5), creating a segment on the desktop (Par. [0041], lines 1-10; Fig. 7), defining the segment size **508** in relation to the desktop (Par. [0040], lines 6-9; Fig. 5), classifying the plurality of icons into the icon group (Par. [0035], lines 1-19; Fig. 3); placing the icon group into the segment (Par. [0036], lines 1-16; Fig. 3); and organizing the plurality of icons within the segment in accordance with the icon organization (Par. [0037], line 1 – Par. [0039], line 17; Fig. 5); wherein the only actions

required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control (Par. [0040], lines 1-20; Fig. 6).

Embodiments of the invention according to claim 38 provide a computer readable memory for causing a computer to organize a plurality of icons on a computer desktop (Abstract, lines 1-2; Par. [0010], lines 1-20; Fig. 7.) comprising: a computer readable storage medium (Par. [0030], lines 10-26; Fig. 2); a computer program stored in the computer readable storage medium (Par. [0030], lines 10-26; Fig. 2); the computer readable storage medium, so configured by the computer program causes the computer to perform the following steps: displaying a graphical user interface having a define segments menu and a submit button **516** (Par. [0032], lines 1-5; Par. [0040], lines 1-20; Fig. 6); analyzing a plurality of icons to determine the icons' attributes (Par. [0035], line 1 – Par. [0036], line 16; Fig. 4); classifying the icons into an icon group using the icons' attributes (Par. [0035], lines 1-19; Fig. 3); placing the icon group into a segment (Par. [0037], lines 1-22; Fig. 5) organizing the plurality of icons within the segment (Par. [0037], line 1 – Par. [0039], line 17; Fig. 5); and wherein the segment does not cover the wallpaper on the desktop (Par. [0034], lines 1-11; Fig. 7); wherein the only actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control (Par. [0040], lines 1-20; Fig. 6).

## VI. Grounds of Rejection to be Reviewed on Appeal

The rejection of claims 1-4, 10-13, 16-17, 21-28, 34-37, 40-41 and 45-48 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,043,817 (Bolnick). Final Office Action pp. 2-4.

The rejection of claims 5-7, 18-20, 29-31, and 42-44 under 35 U.S.C. § 103(a) as being obvious over Bolnick in view of US Patent No. 6,545,687 (Scott). Final Office Action p. 4-5.

The rejection of claims 8-9, 14-15, 32-33, and 38-39 under 35 U.S.C. § 103(a) as being obvious over Bolnick in view of US Patent No. 6,717,596 (Nason). Final Office Action p. 5-7.

## VII. Argument

### A. First Ground of Rejection

The rejection of claims 1-4, 10-13, 16-17, 21-28 34-37, 40-41 and 45-48 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,043,817 (Bolnick). Final Office Action pp. 2-4.

#### Claim 1

Claim 1 recites "organizing the icons within the segment in accordance with the icon organization." The Examiner alleges this feature is taught by Bolnick at col. 9 lines 44-48 and col. 21 lines 38-49. Final Office Action pp. 3. The cited portion of Bolnick discusses Sort Properties of a desktop region and the Global Cleanup operation in which "the display arrange system assigns repositionable desktop items to proper frames in accordance with the above described automatic behaviors, filtering properties, index values and space available within the frames of a current layout." Bolnick 21:41-45.

The Sort Properties of Bolnick "define a criterion for ordering icons ... within a frame." Bolnick 9:45-47.

Bolnick's assignment of desktop items to frames and sorting the icons within the frames is not the same as the icon organization feature of claim 1. The icon organization of claim 1 refers to the process of resizing icons within a desktop segment. For example, one type of icon organization is shrinking icons within a segment to the smallest size possible in a particular GUI and placing the icons close together in order to maximize the number of icons that can fit into a desktop segment. Par. [0033], lines 3-6. A second type of icon organization is to fill the entire desktop segment by increasing the size of the icons. Par. [0033], lines 9-11. A third type of icon organization is to place the icons in the desktop segment at their normal size, but then shrinking the icons if they will not fit in the segment at normal size. Par. [0033], lines 11-14. A fourth type of icon organization is to place the icons in the desktop segment at their normal size and adding scroll bars to the segment if the icons will not otherwise fit in the segment. Par. [0033], lines 14-17. The cited portion of Bolnick, by contrast, does not discuss organizing icons within a desktop segment by resizing the icons within the segment. Bolnick's sorting of icons does not meet claim 1's requirement of "organizing the icons" because Bolnick only orders the icons within a frame and does not resize the icons within a desktop segment. For at least this reason, Bolnick does not anticipate claim 1.

Claim 1 also recites "wherein the only user actions required to automatically organize the icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control." Appellant submits that Bolnick's disclosed method for organizing icons is complicated and requires

many steps, actions, and interactions by a user. In contrast, claim 1 provides a method for organizing icons on a computer desktop by only making selections from a menu and activating a submit control. Therefore, embodiments according to claim 1 require far fewer user actions to cause an automatic organization of icons on the computer desktop. The simplified process is enabled by the define segments menu which provides selections to the user. Unlike Bolnick, in embodiments according to claim 1 the user is not required to define fields or enter data

For at least the foregoing reasons, claim 1 comprises features and limitations that are outside the scope of the combination of cited art. Therefore, Appellant respectfully requests that the rejection of claim 1, and the rejections of claims 2-13 (which depend from claim 1) be reversed.

**Claim 4**

In addition to the features and limitations inherited from claim 1 that are outside the scope of the combination of cited art, as discussed above, claim 4 recites 1 "wherein the organization of the icons is to shrink the icons down to the icons' smallest possible size." The Examiner alleges Bolnick 31:28-40 teaches this feature. Final Office Action p. 3. However, the cited portion of Bolnick does not discuss resizing icons to smallest size possible, but rather discusses the fact that the Windows GUI allows icons to be resized. This is not an organization scheme whereby icons within a segment are given a minimum size so that the number of icons within a segment is maximized. For at least this reason the claim comprises features and limitations that are outside the scope of the combination of cited art. Therefore, Appellant respectfully requests that the rejection be reversed.

**Claim 25**

The Examiner rejected claim 25 on the same grounds as the rejection of claim 1. Appellant respectfully requests that the rejection of claim 25, and the rejections of claims 26-37 (which depend from claim 25) be reversed for the same reasons given above in reference to the rejection of claim 1.

**Claim 28**

The Examiner rejected claim 28 on the same grounds as the rejection of claim 4. Appellant respectfully requests that the rejection of claim 28 be reversed for the same reasons given above in reference to the rejection of claim 4.

**B. Second Ground of Rejection**

The rejection of claims 5-7, 18-20, 29-31, and 42-44 under 35 U.S.C. § 103(a) as being obvious over Bolnick in view of US Patent No. 6,545,687 (Scott). Final Office Action p. 4-7.

**Claim 5**

Claim 5 recites "wherein the organization of the icons is to change the size of the icons such that the icons fill the segment." The Examiner alleges this feature is taught by Scott 16:17-23. Final Office Action p. 4. The cited portion of Scott discusses the display of image file icons in a browser window. Scott 16:11-13 ("...a browsing application where elements of a database are represented by thumbnails..."). A browser window is not a desktop segment of a GUI. Increasing the size of icons to fill a browser window, as taught by Scott, is not the same as increasing the size of icons to fill a desktop segment because the browser window is not a user-defined area on the desktop. This is a

significant difference because the desktop is typically the location where a user stores frequently used or recently used files. These files are generally of many different types, such as web pages, PDF documents, word processing documents, images, etc. that can clutter the desktop when they are not organized. In the present invention, however, functionality is provided whereby a user defines segments of the desktop in which icons of different file types are represented. A browser window, as taught by Scott, does not provide this functionality, and therefore increasing the size of icons in a browser window does not have the same advantages as increasing the size of icons in a desktop segment. For at least this reason, Appellant respectfully requests that the rejection of claim 5 be reversed.

**Claim 6**

Claim 6 recites "wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to shrink the size of the icons until the icons fit into the segment." The Examiner alleges this feature is taught by Scott 16:17-23. Final Office Action pp. 4-5. The cited portion of Scott discusses increasing or decreasing the size of image icons in a browser window such that the browser window is filled by the icons. Claim 6, however, requires that the icons are placed in the desktop segment at normal size unless they will not fit at normal size, in which case they are decreased in size until they all fit. In other words, the icons are normal size by default, and are only decreased in size if necessary. Scott does not provide this functionality, but rather only discusses increasing and decreasing icon size to fill a window, and does not at all discuss having the icons default to normal size and then shrinking them if necessary. Furthermore, as explained above in reference to the

rejection of claim 5, a browser window is not a desktop segment. For at least these reasons, Appellants respectfully request that the rejection of claim 6 be reversed.

**Claim 7**

Claim 7 recites "wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to add a scroll bar within the segment." The Examiner alleges this feature is taught by Scott 1:55-58. Final Office Action p. 5. The cited portion of Scott simply discusses the fact that scroll bars on browser windows are known in the art. This is not the same as adding scroll bars to a desktop segment because a desktop segment is not a window, but rather a user defined area of the desktop in which icons of a particular type are represented. Accordingly, as Scott does not teach adding scroll bars to a desktop segment, Appellant respectfully requests that the rejection of claim 7 be reversed.

**Claims 18-20, 29-31, 42-44**

The Examiner rejected claims 18-20, 29-31, and 42-44 on the same grounds as claims 5-7. Final Office Action p. 5. Appellant respectfully requests that these rejections be reversed for the same reasons given above in reference to the rejections of claims 5-7.

**C. Third Ground of Rejection**

The rejection of claims 8-9, 14-15, 32-33, and 38-39 under 35 U.S.C. § 103(a) as being obvious over Bolnick in view of US Patent No. 6,717,596 (Nason). Final Office Action p. 5-7.

**Claim 8**

Claim 8 recites "defining whether the segment covers the wallpaper on the desktop." The Examiner alleges this feature is taught by Nason 6:19-21; 26:23-33. Final Office Action p. 6. Nason 6:19-21 discusses adding a user interface to the overscan area of a computer monitor, which is the border around display region of a monitor that is necessary in CRT monitors as opposed to LCD monitors. Whereas in CRT monitors this overscan area went ususued, Nason teaches using the overscan area in LCD monitors to add an additional user interface. Nason 6:13-23. Nason 26:23-33 discusses adding additional user interfaces, such as parallel operating systems, outside of the native desktop. Neither of the cited portions of Nason discusses anything about wallpaper on a desktop, much less defining segments of the desktop according to whether the segments cover wallpaper on the desktop. Nason is concerned with the area outside of the desktop, whereas claim 8 is concerned with the area within the desktop and whether segments in that area cover wallpaper on the desktop. Furthermore, Nason does not concern desktop segments, but rather user interfaces outside of the desktop. Nason 26:23-33. Nason does not provide the functionality of claim 8, whereby a user can define desktop segments according to whether the segments cover wallpaper on the desktop. For at least this reason, Appellant respectfully requests that the rejection of claim 8 be withdrawn.

**Claim 9**

Claim 9 recites "wherein the segment does not cover the wallpaper on the desktop." The Examiner alleges this feature is taught by Nason 6:19-21; 26:23-33. Final Office Action p. 6. Nason 6:19-21 discusses adding a user interface to the overscan area of a computer monitor, which is the border around display region of a monitor that is necessary in CRT monitors as opposed to LCD monitors. Whereas in CRT monitors this

overscan area went usused, Nason teaches using the overscan area in LCD monitors to add an additional user interface. Nason 6:13-23. Nason 26:23-33 discusses adding additional user interfaces, such as parallel operating systems, outside of the native desktop. Neither of the cited portions of Nason discusses anything about wallpaper on a desktop, much less defining segments of the desktop that do not cover desktop wallpaper. Nason is concerned with the area outside of the desktop, whereas claim 9 is concerned with the area within the desktop that do not cover desktop wallpaper. Furthermore, Nason does not concern desktop segments, but rather user interfaces outside of the desktop. Nason 26:23-33. Nason does not provide the functionality of claim 9, whereby a user can define desktop segments that do not cover desktop wallpaper. This is a significant difference because embodiments of claim 9 allow a user to both organize a desktop and still have a favorite picture displayed without obstruction, thus increasing the enjoyment of the user. For at least this reason, Appellant respectfully requests that the rejection of claim 9 be withdrawn.

**Claims 14 and 38**

The Examiner rejected claims 14 and 38 on the same grounds as claims 2 and 9. Final Office Action p. 6. Appellant respectfully requests that these rejections be reversed for the same reasons given above in reference to the rejections of claim 1, from which claim 2 depends, and claim 9.

**Claims 15, 32, and 39**

The Examiner rejected claims 15, 32, and 39 on the same grounds as claim 8. Final Office Action p. 5. Appellant respectfully requests that these rejections be reversed for the same reasons given above in reference to the rejection of claim 8.

## VIII. Claims Appendix

A copy of the claims involved in the present appeal is attached hereto as Appendix A. As indicated above, the claims in Appendix A stand as written in the Amendment filed September 12, 2007.

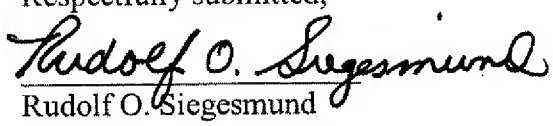
## IX. Evidence Appendix

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Examiner is being submitted.

## X. Related Proceedings Appendix

There are no related proceedings.

Respectfully submitted,



Rudolf O. Siegesmund
Registration No. 37,720
Gordon & Rees LLP
Suite 2800
2100 Ross Avenue
Dallas, Texas 75201
214-231-4703
214-461-4053 (fax)
rsiegesmund@gordonrees.com

## APPENDIX A: CLAIMS

Claims Involved in the Appeal of Application Serial No. 10/730,957

1. A method for automatically organizing a plurality of icons on a computer desktop comprising:

using a computer, performing the following series of steps:

displaying a graphical user interface having a define segments menu and a submit control;

responsive to a user selecting a segment location, a segment size, an icon group, a icon organization at the define segments menu, and activating the submit control,

creating a segment on the desktop;

defining the segment size in relation to the desktop;

classifying the plurality of icons into the icon group;

placing the icon group into the segment; and

organizing the icons within the segment in accordance with the icon organization;

wherein the only user actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control.

2. The method of claim 1 further comprising:

analyzing the icons to determine the icons' attributes; and

using the icons' attributes to classify the icons.

3. The method of claim 2 wherein the icons' attributes are a type of application associated with each of the icons.

4. The method of claim 1 wherein the organization of the icons is to shrink the icons down to the icons' smallest possible size.

5. The method of claim 1 wherein the organization of the icons is to change the size of the icons such that the icons fill the segment.

6. The method of claim 1 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to shrink the size of the icons until the icons fit into the segment.

7. The method of claim 1 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to add a scroll bar within the segment.

8. The method of claim 1 wherein the segment is defined by steps comprising:

defining a segment location;

defining a segment size;

defining the icon group associated with the segment;

defining the icons organization within the segment; and

defining whether the segment covers the wallpaper on the desktop.

9. The method of claim 1 wherein the segment does not cover the wallpaper on the desktop.

10. The method of claim 1 wherein the segment is user defined.

11. The method of claim 1 wherein the icon group is a group of webpages.

12. The method of claim 1 wherein the icon group is a group of games.

13. The method of claim 1 wherein the icon group is a group of development tools.

14. A method to automatically organize a plurality of icons on a computer desktop comprising:

using a computer, performing the following series of steps:

displaying a graphical user interface having a define segments menu and an activation button;

analyzing a plurality of icons to determine the icons' attributes;

classifying the icons into an icon group using the icons' attributes;

placing the icon group into a segment;

organizing the plurality of icons within the segment; and

wherein the segment does not cover the wallpaper on the desktop;

wherein the only user actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of selections at the define segments menu and to activate the submit control.

15. The method of claim 14 wherein the segment is defined by steps comprising:

defining a segment location;

defining a segment size;

defining the icon group associated with the segment;

defining the icons organization within the segment; and

defining whether the segment covers the wallpaper on the desktop.

16. The method of claim 15 wherein the icons' attributes are a type of application associated with each of the icons.

17. The method of claim 15 wherein the organization of the icons is to shrink the icons down to the icons' smallest possible size.

18. The method of claim 15 wherein the organization of the icons is to change the size of the icons such that the icons fill the segment.

19. The method of claim 15 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to shrink the size of the icons until the icons fit into the segment.

20. The method of claim 15 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to add a scroll bar within the segment.

21. The method of claim 15 wherein the segment is user defined.

22. The method of claim 15 wherein the icon group is a group of webpages.

23. The method of claim 15 wherein the icon group is a group of games.

24. The method of claim 15 wherein the icon group is a group of development tools.

25. A program product on a computer readable memory for causing a computer to automatically organize a plurality of icons on a computer desktop comprising:

a computer readable storage medium;

a computer program stored in the computer eadable storage medium;

the computer readable storage medium, so configured by the computer program, causes the computer to perform steps comprising:

displaying a graphical user interface having a define segments menu and an activation;

responsive to a user selecting a segment location, a segment size, an icon group, a icon organization, and activating a submit button,

creating a segment on the desktop;

defining the segment size in relation to the desktop;

, classifying a plurality of icons into the icon group;

placing the icon group into the segment; and

organizing the plurality of icons within the segment in accordance with the icon organization;

wherein the only user actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control.

26. The program product of claim 25 further comprising:

instructions for analyzing the icons to determine the icons' attributes; and

instructions for using the icons' attributes to classify the icons.

27. The program product of claim 26 wherein the icons' attributes are a type of application associated with each of the icons.

28. The program product of claim 25 wherein the organization of the icons is to shrink the icons down to the icons' smallest possible size.

29. The program product of claim 25 wherein the organization of the icons is to change the size of the icons such that the icons fill the segment.

30. The program product of claim 25 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to shrink the size of the icons until the icons fit into the segment.

31. The program product of claim 25 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to add a scroll bar within the segment.

32. The program product of claim 25 wherein the segment is defined by steps comprising:

instructions for defining a segment location;

instructions for defining a segment size;

instructions for defining the icon group associated with the segment;

instructions for defining the icons organization within the segment; and

instructions for defining whether the segment covers the wallpaper on the desktop.

33. The program product of claim 25 wherein the segment does not cover the wallpaper on the desktop.

34. The program product of claim 25 wherein the segment is user defined.

35. The program product of claim 25 wherein the icon group is a group of webpages.

36. The program product of claim 25 wherein the icon group is a group of games.

37. The program product of claim 25 wherein the icon group is a group of development tools.

38. A computer readable memory for causing a computer to organize a plurality of icons on a computer desktop comprising:

a computer readable storage medium;

a computer program stored in the computer readable storage medium;

the computer readable storage medium, so configured by the computer program, causes the computer to perform the following steps:

displaying a graphical user interface having a define segments menu and a submit button;

analyzing a plurality of icons to determine the icons' attributes;

classifying the icons into an icon group using the icons' attributes;

placing the icon group into a segment;

organizing the plurality of icons within the segment; and

wherein the segment does not cover the wallpaper on the desktop;

wherein the only user actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control.

39. The program product of claim 38 wherein the segment is defined by steps comprising:

defining a segment location;

defining a segment size;

defining the icon group associated with the segment;

defining the icons organization within the segment; and

defining whether the segment covers the wallpaper on the desktop.

40. The program product of claim 38 wherein the icons' attributes are a type of application associated with each of the icons.

41. The program product of claim 38 wherein the organization of the icons is to shrink the icons down to the icons' smallest possible size.

42. The program product of claim 38 wherein the organization of the icons is to change the size of the icons such that the icons fill the segment.

43. The program product of claim 38 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to shrink the size of the icons until the icons fit into the segment.

44. The program product of claim 38 wherein the organization of the icons is to place the icons in the segment at normal size, but if the icons do not fit into the segment at normal size, then to add a scroll bar within the segment.

45. The program product of claim 38 wherein the segment is user defined.

46. The program product of claim 38 wherein the icon group is a group of webpages.

47. The program product of claim 38 wherein the icon group is a group of games.

48. The program product of claim 38 wherein the icon group is a group of development tools.

## Appendix B: Evidence

No evidence pursuant to §§ 1.130, 1.131, or 1.132 is being submitted.

No evidence relied upon by the Examiner is being submitted.

## Appendix C: Related Proceedings

No related proceedings are referenced in II. above, hence copies of decisions in related proceedings are not provided.